

# **EXHIBIT B**

CAUSE NO. \_\_\_\_\_

DAVID GUTIERREZ  
Plaintiff,

v.

JOHN DOE, and  
LOWE'S HOME CENTERS, LLC  
a/k/a LOWES HOME CENTERS INC  
Defendants.

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IN THE DISTRICT COURT  
  
\_\_\_\_ JUDICIAL DISTRICT  
  
  
EL PASO COUNTY, TEXAS

**PLAINTIFF’S ORIGINAL PETITION**

COMES NOW, DAVID GUTIERREZ, Plaintiff, and files this petition, complaining of JOHN DOE and LOWE’S HOME CENTERS, LLC a/k/a LOWES HOME CENTERS INC, hereinafter referred to as Defendants, and for cause of action would show as follows:

**I.**  
**DISCOVERY CONTROL PLAN**

1. Pursuant to the provisions of Texas Rule of Civil Procedure 190.4, Plaintiff proposes to conduct discovery according to Discovery Control Plan Level 3, and therefore request this Court to enter a scheduling order.

**II.**  
**PARTIES**

2. Plaintiff, DAVID GUTIERREZ, is an individual residing in El Paso County, Texas.
3. Defendant, LOWE’S HOME CENTERS, LLC a/k/a LOWES HOME CENTERS INC, is a legal or business entity doing business in the State of Texas and can be served with citation through its Registered Agent for Service, Corporation Service Company d/b/a/ CSC-Lawyers INCO, at: 211 E. 7<sup>th</sup> Street Suite 620, Austin TX 78701 or wherever it may be found. Service may be effected by personal delivery.
4. Defendant, JOHN DOE, is an individual who is unknown at this time and will be



discovered in due course.

**III.**  
**VENUE & JURISDICTION**

5. The subject matter in controversy is within the jurisdictional limits of this court. The Court has jurisdiction over the parties because Defendants reside and/or do business in the State of Texas. The Court has jurisdiction over Defendants because they purposefully availed themselves of the privileges and benefits of conducting business in Texas and by committing a tort, which is the basis of this suit and as such is further described herein, in whole or in part in Texas.

6. Venue is proper in El Paso County pursuant to Texas Civil Practice & Remedies Code § 15.002(1) because all or a substantial part of the events or omissions giving rise to the claim occurred there.

7. Venue is further proper in El Paso County pursuant to Texas Civil Practice & Remedies Code § 15.005 because once Plaintiff has established proper venue against one Defendant, the Court also has venue of all the Defendants in all claims or actions arising out of the same transaction, occurrence, or series of transactions or occurrences.

**IV.**  
**BACKGROUND FACTS**

8. On or about June 3, 2021, Plaintiff DAVID GUTIERREZ was cautiously and prudently driving his motor vehicle at location of Defendant's LOWE'S HOME CENTERS, LLC a/k/a LOWES HOME CENTERS INC in El Paso, El Paso County, Texas.

9. Defendant JOHN DOE, at the time referenced above, was driving and an operating a commercial forklift vehicle in the course and scope of his employment with Defendant, LOWE'S HOME CENTERS, LLC a/k/a LOWES HOME CENTERS INC in front of Plaintiff.



10. Plaintiff, DAVID GUTIERREZ, was attempting to exit the parking lot when Defendant JOHN DOE suddenly, violently, and without warning struck the front of Plaintiff's vehicle.

11. At the time of the above events, the commercial forklift vehicle operated by Defendant JOHN DOE was owned by, or was otherwise under the possession, control, and custody of Defendant LOWE'S HOME CENTERS, LLC a/k/a LOWES HOME CENTERS INC, and was a vehicle JOHN DOE was authorized to use at all times relevant to Plaintiff's cause of action.

12. As a result of the incident, Plaintiff sustained serious and permanent physical injuries, damages and losses. Nothing Plaintiff did or failed to do caused and/or contributed to the incident made the basis of this lawsuit. On the contrary, this occurrence and Plaintiff's resulting injuries, damages and losses were proximately caused by the negligence and negligence per se, as those terms are understood in law, on the part of the Defendants.

**V.**

**DEFENDANT LOWE'S HOME CENTERS, LLC a/k/a LOWES HOME CENTERS  
INC'S AGENTS AND EMPLOYEES**

13. Whenever it is alleged that Defendant LOWE'S HOME CENTERS, LLC a/k/a LOWES HOME CENTERS INC did any act or omission, it is meant that its employees, agents, officers, representatives or servants did such act or failed to do such act, and at the time such act or omission occurred, it was with full knowledge, authorization or ratification of Defendant LOWE'S HOME CENTERS, LLC a/k/a LOWES HOME CENTERS INC or was done in the normal and routine course and scope of employment of such person. Under the doctrine of *Respondeat Superior*, Defendant, LOWE'S HOME CENTERS, LLC a/k/a LOWES HOME CENTERS INC, is liable to Plaintiff for the conduct or omissions of their employees, agents, officers, representatives or servants, including but not limited to, JOHN DOE.



**VI.**  
**NEGLIGENCE CLAIMS AGAINST DEFENDANT LOWE'S HOME CENTERS, LLC**  
**a/k/a LOWES HOME CENTERS INC**

14. Plaintiff shows unto the Court that Defendant LOWE'S HOME CENTERS, LLC a/k/a LOWES HOME CENTERS INC and its employees, agents, officers, representatives or servants, were negligent and that such negligence was a proximate and direct cause of the incident made the basis of this suit and Plaintiff's resulting injuries, damages and losses. Specifically, Defendant JOHN DOE had a duty to exercise ordinary care and operate the commercial forklift vehicle reasonably and prudently. LOWE'S HOME CENTERS, LLC a/k/a LOWES HOME CENTERS INC is liable for the acts and omissions of their employees, agents and/or representatives, including Defendant JOHN DOE, based on *Respondeat Superior*. Defendant LOWE'S HOME CENTERS, LLC a/k/a LOWES HOME CENTERS INC's, acts and omissions constituted a breach of the duty of ordinary care owed by Defendant LOWE'S HOME CENTERS, LLC a/k/a LOWES HOME CENTERS INC, to Plaintiff. Defendant LOWE'S HOME CENTERS, LLC a/k/a LOWES HOME CENTERS INC'S direct negligence includes but is not limited to the following:

- a. Negligent entrustment of the vehicle in question to Defendant JOHN DOE;
- b. In failing to exercise due care to ascertain the deficiencies in the driving/operating abilities of Defendant, MATTHEW L. RHYMER;
- c. In allowing an unsafe driver/operator to operate one of its vehicles;
- d. In failing to provide drivers/operators with driver/operator safety training;
- e. Negligent hiring of Defendant JOHN DOE;
- f. Negligent investigation of Defendant JOHN DOE;
- g. Negligent retention of Defendant JOHN DOE;



- h. Negligent training of Defendant JOHN DOE; and
- i. Negligent supervision of its employees, including but not limited to Defendant JOHN DOE.

**VII.**  
**NEGLIGENCE CLAIMS AGAINST DEFENDANT JOHN DOE**

15. Plaintiff shows unto the Court that Defendant JOHN DOE was negligent and that such negligence was a proximate and direct cause of the incident made the basis of this suit and the Plaintiff's resulting injuries and damages. Specifically, Defendant JOHN DOE had a duty to exercise ordinary care and operate the commercial forklift vehicle reasonably and prudently. Defendant JOHN DOE is liable for the acts and omissions of their employee, Defendant JOHN DOE, based on *Respondeat Superior*. Defendant's negligence includes, but is in no way limited to, the following:

- a. Failing to maintain a proper lookout;
- b. Failing to properly apply his brakes to avoid striking Plaintiff's vehicle;
- c. Failing to swerve or otherwise maneuver the vehicle so as to avoid the collision;
- d. Failing to honk the horn or to give any sign or warning of the impending collision;
- e. Failure to control his speed;
- f. Failure to keep a safe distance; and
- g. Failing to act as a reasonable person using ordinary care in the same or similar circumstances.

16. Each of these acts and omissions, singularly or in combination with each other, constitutes negligence which proximately caused the occurrence made the basis of this action and Plaintiff's injuries and damages.



**VIII.**  
**DAMAGES**

17. As a direct and proximate result of the occurrence made the basis of this lawsuit, Plaintiff suffered severe, permanent and disfiguring injuries. Specifically, Plaintiff suffered the following damages:

- a. Reasonable medical care and expenses in the past. These expenses were incurred by Plaintiff for the necessary care and treatment of the injuries resulting from the incident complained of herein and such charges are reasonable and were usual and customary charges for such services;
- b. Reasonable and necessary medical care and expenses which will in all reasonable probability be incurred in the future;
- c. Physical pain and suffering in the past;
- d. Physical pain and suffering, which will in all reasonable probability be incurred in the future;
- e. Mental anguish in the past;
- f. Mental anguish, which will in all reasonable probability be incurred in the future;
- g. Lost wages in the past;
- h. Lost wages, which will in all probability be incurred in the future;
- i. Physical impairment in the past;
- j. Physical impairment, which will in all reasonable probability be incurred in the future;
- k. Loss of earning capacity in the past and future;
- l. Loss of earning capacity, which will in all reasonable probability be incurred in the future;
- m. Court costs; and
- n. Prejudgment and post-judgment interest.

18. By reason of the above, Plaintiff has suffered losses and damages in an amount



which has not been presently ascertained, but which is in excess of the minimum jurisdictional limits of this Court.

19. Plaintiff states that he completely and fully relies on the discretion of a jury to determine the amount to be awarded in this case. At this time, Plaintiff believes his damages to be over \$1,000,000.00. However, Plaintiff reserves the right to increase, decrease, or otherwise amend this amount prior to or during trial dependent on the outcome of the evidence.

**IX.**  
**INTEREST**

20. Plaintiff is entitled to recover all pre-judgment and post-judgment interest as allowed by law and here seeks such pre-judgment and post-judgment interest.

**X.**  
**RULE 47 NOTICE**

21. Pursuant to Rule 47 of the Texas Rules of Civil Procedure, Plaintiff pleads an amount in damages in excess of \$1,000,000.00.

**XI.**  
**DEMAND FOR JURY TRIAL**

22. Plaintiff demands a trial by jury and tenders the required fee with filing this petition.

**XII.**  
**USE OF DOCUMENTS PRODUCED IN DISCOVERY**

23. Plaintiff hereby gives notice of intention to use items produced by all parties in discovery at any pretrial proceeding or at trial of this matter and the authenticity of such items is self-proven pursuant to Rule 193.7 of The Texas Rules of Civil Procedure.

**XIII.**  
**PRESERVATION OF EVIDENCE**

24. Defendants are hereby given notice that any document or other material, including electronically stored information, that may be evidence or relevant to any issue, claim or defense





in this case is to be preserved in its present form until this litigation is concluded.

25. Failure to maintain such items will constitute “spoliation” of evidence, for which Plaintiff will seek appropriate sanctions and remedies.

**XIV.**  
**PRAYER FOR RELIEF**

WHEREFORE, PREMISES CONSIDERED, Plaintiff requests that Defendants be cited to appear and answer, and on final trial hereafter, that Plaintiff have judgment against Defendants, together with all pre-judgment and post-judgment interest as allowed by law, costs of Court, and for such other and further relief to which Plaintiff may be justly entitled by law and equity.

Respectfully submitted,

**CESAR ORNELAS LAW, PLLC**

/s/ JonCarlo Serna  
JonCarlo Serna  
Texas State Bar No. 24095455  
[jcserna@oinjurylaw.com](mailto:jcserna@oinjurylaw.com)  
Cesar Ornelas  
Texas State Bar No. 24096139  
[cesar@oinjurylaw.com](mailto:cesar@oinjurylaw.com)  
6243 IH-10 West, Suite 808  
San Antonio, TX 78201  
Phone: (210) 957-2103  
Fax: (888) 342-8033

***ATTORNEYS FOR PLAINTIFF***



Norma Favela Barceleau  
District Clerk  
El Paso County  
2021DCV3087



CARLSBAD | EL PASO | LAREDO | MIDLAND | ODESSA | SAN ANTONIO

JoNCARLO SERNA  
Associate Litigation Attorney  
(210) 957-2103  
jcserna@oinjurylaw.com

Selina M. Garcia  
Associate Attorney  
[sgarcia@oinjurylaw.com](mailto:sgarcia@oinjurylaw.com)

September 1, 2021

VIA EFILE

Norma Favela Barceleau  
District Clerk

Re: Cause No. 2021DCV3087; David Gutierrez v. John Doe and Lowe's Home Centers, LLC a/k/a Lowes Home Centers Inc; In the 327th District Court, El Paso County, Texas.

Dear Mrs. Barceleau;

On August 31, 2021, Plaintiff filed her ORIGINAL PETITION.  
By filing of the letter, Plaintiff is requesting service as follows and paying all required fees:

Type of Service:	Citation
Service Documents:	Plaintiff's Original Petition
Service to be made on:	

1. Defendant **Lowe's Home Centers, LLC a/k/a Lowes Home Centers Inc** by serving its Registered Agent for Service, Corporation Service Company d/b/a CSC-Lawyers INCO, at 211 E. 7<sup>th</sup> Street Suite 620, Austin, TX 78701.

Please email the citation to [sgarcia@oinjurylaw.com](mailto:sgarcia@oinjurylaw.com). Thank you for your attention to this matter and do not hesitate to contact our office if you have any questions or concerns.

JCS/smg

Cesar Ornelas Law, PLLC

/s/JonCarlo Serna  
JonCarlo Serna  
Attorney and Counselor at Law



## THE STATE OF TEXAS

Norma Favela Barceleau

District Clerk

El Paso County, Texas

Cables, Veronica

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org"

TO: **LOWE'S HOME CENTERS, LLC**, which may be served with process **by serving its registered agent, CORPORATION SERVICE COMPANY d/b/a CSC-LAWYERS INCO, at 211 E 7<sup>TH</sup> STREET, SUITE 620, AUSTIN, TX 78701** or wherever he/she may be found

Greetings:

You are hereby commanded to appear by filing a written answer to the **Plaintiff's Original Petition** at or before ten o'clock A.M. of the Monday next after the expiration of twenty days after the date of service of this citation before the Honorable **327<sup>th</sup> Judicial District Court**, El Paso County, Texas, at the Court House of said County in El Paso, Texas.

Said Plaintiff's Petition was filed in said court on the 31<sup>st</sup> day of August, 2021 by Attorney at Law, JONCARLO SERNA, 6243 IH-10 WEST SUITE 808 SAN ANTONIO TX 78201, in this case numbered **2021DCV3087** on the docket of said court, and styled:

**DAVID GUTIERREZ**

**V.**

**JOHN DOE, AND LOWE'S HOME CENTERS, LLC A/K/A LOWES HOME CENTERS INC**

The nature of Plaintiff's demand is fully shown by a true and correct copy of the **Plaintiff's Original Petition** accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said Court at El Paso, Texas, on the 8<sup>th</sup> day of September, 2021.

CLERK OF THE COURT

**NORMA FAVELA BARCELEAU**

District Clerk

El Paso County Courthouse

500 E. San Antonio Ave, RM 103

El Paso, Texas 79901



Attest: NORMA FAVELA BARCELEAU District Clerk  
El Paso County, Texas

By: Veronica Cables, Deputy  
Veronica Cables

Rule 106: "-the citation shall be served by the officer delivering to each defendant, in person, a true copy of the citation with the date of delivery endorsed thereon and with a copy of the petition attached thereto."



**RETURN**

Came on hand on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and executed in \_\_\_\_\_ County, Texas, by delivering to each of the within-named defendants, in person, a true copy of this Citation, having first endorsed thereon the date of delivery, together with the accompanying true and correct copy of the **Plaintiff's Original Petition**, at the following times and places, to-wit:

NAME	DATE			TIME			Place, and Course and Distance
	MONTH	DAY	YEAR	Hour	Min.	____.M.	
							From Court House

And not executed as to the defendant, \_\_\_\_\_

The diligence used in finding said defendant, being \_\_\_\_\_

And the cause of failure to execute this process is: \_\_\_\_\_

And the information received as to the whereabouts of the said defendant, being \_\_\_\_\_

FEES—SERVING \_\_\_\_ copy \_\_\_\_ \$ \_\_\_\_\_ Sheriff  
\_\_\_\_\_ County, Texas

Total \_\_\_\_\_ \$ \_\_\_\_\_ by \_\_\_\_\_, Deputy

**CERTIFICATE OF DELIVERY**

I do hereby certify that I delivered to \_\_\_\_\_,  
\_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_ m. this copy of this instrument.

\_\_\_\_\_, Sheriff/Agent  
\_\_\_\_\_, County, Texas  
By \_\_\_\_\_, Deputy/Agent

**SUBSCRIBED AND SWORN TO BEFORE ME ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.**

**(SEAL)**

\_\_\_\_\_  
**NOTARY PUBLIC, STATE OF TEXAS**

A TRUE COPY, I CERTIFY  
NORMA FAVELA BARCELEAU  
District Clerk  
BY Walt Fisher Deputy

10/14/2021



**CAUSE NO. 2021DCV3087**

DAVID GUTIERREZ	§	
PLAINTIFF	§	
	§	
VS.	§	IN THE 327th District Court
	§	
JOHN DOE, ET AL	§	
DEFENDANT	§	EL PASO COUNTY, TX
	§	
	§	
	§	

**RETURN OF SERVICE**

**ON Wednesday, September 8, 2021 AT 5:33 PM**  
CITATION, PLAINTIFF'S ORIGINAL PETITION for service on LOWE'S HOME CENTERS, LLC C/O REGISTERED AGENT CORPORATION SERVICE COMPANY D/B/A CSC-LAWYERS INCO came to hand.

**ON Tuesday, September 14, 2021 AT 11:00 AM, I, ADRIANA ADAM, PERSONALLY DELIVERED THE ABOVE-NAMED DOCUMENTS TO:** LOWE'S HOME CENTERS, LLC C/O REGISTERED AGENT CORPORATION SERVICE COMPANY D/B/A CSC-LAWYERS INCO, by delivering to Evie Lichtenwalter, 211 E 7TH ST STE 620, AUSTIN, TRAVIS COUNTY, TX 78701.

My name is ADRIANA ADAM. My address is 4201 Monterey Oaks Blv Apt. 2208. I am a private process server certified by the Texas Judicial Branch Certification Commission (PSC 17714, expires 10/31/2021). My e-mail address is info@easy-serve.com. My date of birth is 3/30/1992. I am in all ways competent to make this statement, and this statement is based on personal knowledge. I am not a party to this case and have no interest in its outcome. I declare under penalty of perjury that the foregoing is true and correct.

Executed in TRAVIS COUNTY, TX on Tuesday, September 14, 2021.

/S/ ADRIANA ADAM



**THE STATE OF TEXAS**

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org"

TO: **LOWE'S HOME CENTERS, LLC**, which may be served with process **by serving its registered agent, CORPORATION SERVICE COMPANY d/b/a CSC-LAWYERS INCO, at 211 E 7<sup>TH</sup> STREET, SUITE 620, AUSTIN, TX 78701** or wherever he/she may be found

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Said Plaintiff's Petition was filed in said court on the 31<sup>st</sup> day of August, 2021 by Attorney at Law, JONCARLO SERNA, 6243 IH-10 WEST SUITE 808 SAN ANTONIO TX 78201, in this case numbered **2021DCV3087** on the docket of said court, and styled:

**DAVID GUTIERREZ**  
**V.**  
**JOHN DOE, AND LOWE'S HOME CENTERS, LLC A/K/A LOWES HOME CENTERS INC**

The nature of Plaintiff's demand is fully shown by a true and correct copy of the **Plaintiff's Original Petition** accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said Court at El Paso, Texas, on the 8<sup>th</sup> day of September, 2021.

CLERK OF THE COURT

**NORMA FAVELA BARCELEAU**  
District Clerk  
El Paso County Courthouse  
500 E. San Antonio Ave, RM 103  
El Paso, Texas 79901



Attest: NORMA FAVELA BARCELEAU District Clerk  
El Paso County, Texas

By: Veronica Cables, Deputy  
Veronica Cables

Rule 106: "-the citation shall be served by the officer delivering to each defendant, in person, a true copy of the citation with the date of delivery endorsed thereon and with a copy of the petition attached thereto."

A TRUE COPY, I CERTIFY  
NORMA FAVELA BARCELEAU  
District Clerk  
BY Veronica Cables Deputy  
10/14/2021



CAUSE NO. 2021DCV3087

DAVID GUTIERREZ,	§	IN THE DISTRICT COURT
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	EL PASO COUNTY, TEXAS
	§	
JOE DOE, and	§	
LOWE’S HOME CENTERS, LLC a/k/a	§	
LOWES HOME CENTERS INC.,	§	
	§	
<i>Defendants.</i>	§	327 <sup>th</sup> DISTRICT COURT

DEFENDANT LOWE’S HOME CENTERS, LLC  
A/K/A LOWES HOME CENTERS INC’S  
*(incorrectly named and an improper party)*  
ORIGINAL ANSWER TO PLAINTIFF’S ORIGINAL PETITION and  
REQUEST FOR A JURY DEMAND

Defendant LOWE’S HOME CENTERS, LLC a/k/a LOWES HOME CENTERS, INC.  
*(incorrectly named)* hereby files its Original Answer to Plaintiff’s Original Petition as follows:

I.  
GENERAL DENIAL

1. Defendant denies each and every, all and singular, the material allegations contained within Plaintiff’s pleadings and demands strict proof thereof.

II.  
JURY DEMAND

2. In accordance with Rule 216 of the TEXAS RULES OF CIVIL PROCEDURE, Defendant demands a trial by jury and hereby tenders the applicable jury fee with this Answer.



**III.**  
**PRAYER FOR RELIEF**

Defendant LOWE'S HOME CENTERS, LLC a/k/a LOWES HOME CENTERS, INC  
(*incorrectly named and an improper party*) prays that Plaintiff take nothing by this lawsuit,  
that Defendant go hence with its costs without delay, and for such other and further  
relief, both general and special, at law and in equity, to which Defendant may show  
itself justly entitled.

Respectfully submitted,

**MAYER LLP**

750 North St. Paul Street, Suite 700  
Dallas, Texas 75201  
214.379.6900 / F: 214.379.6939

By: /s/Robin R. Gant

Zach T. Mayer  
State Bar No. 24013118  
E-Mail: [zmayer@mayerllp.com](mailto:zmayer@mayerllp.com)  
Robin R. Gant  
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Dwayne I. Lewis, II  
State Bar No. 24097996  
E-Mail: [dlewis@mayerllp.com](mailto:dlewis@mayerllp.com)

**ATTORNEYS FOR DEFENDANT**  
**LOWE'S HOME CENTERS, LLC A/K/A**  
**LOWES HOME CENTERS INC**  
(*incorrectly named and an improper party*)





**CERTIFICATE OF SERVICE**

This is to certify that on the 8th day of October 2021, a true and correct copy of the foregoing has been forwarded to all counsel of record as follows:

JonCarlo Serna  
Cesar Ornelas  
CESAR ORNELAS LAW, PLLC  
6243 IH-10 West, Suite 808  
San Antonio, Texas 78201

*Counsel for Plaintiff*

- ☐ E-Mail ([jcserna@oinjurylaw.com](mailto:jcserna@oinjurylaw.com); [cesar@oinjurylaw.com](mailto:cesar@oinjurylaw.com))
- ☐ Hand Delivery
- ☐ Facsimile
- ☐ Overnight Mail
- ☐ Regular, First Class Mail
- ☒ E-File and Serve
- ☐ E-Service Only
- ☐ Certified Mail/Return Receipt Requested

/s/ Robin R. Gant

Robin R. Gant



**Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Patty Mikula on behalf of Robin Gant  
 Bar No. 24069754  
 pmikula@mayerllp.com  
 Envelope ID: 58132143  
 Status as of 10/13/2021 1:04 PM MST

**Case Contacts**

Name	BarNumber	Email	TimestampSubmitted	Status
Roxanne Ruiz		roxanne@oinjurylaw.com	10/13/2021 8:59:43 AM	SENT
Selina Garcia		sgarcia@oinjurylaw.com	10/13/2021 8:59:43 AM	SENT
Kristy Fisher		kfisher@mayerllp.com	10/13/2021 8:59:43 AM	SENT

**Associated Case Party: Lowe's Home Centers, LLC**

Name	BarNumber	Email	TimestampSubmitted	Status
Zach T.Mayer		zmayer@mayerllp.com	10/13/2021 8:59:43 AM	SENT
Robin R.Gant		rgant@mayerllp.com	10/13/2021 8:59:43 AM	SENT
Dwayne I.Lewis		dlewis@mayerllp.com	10/13/2021 8:59:43 AM	SENT

